IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 14576 of 2004

Between:

Tangudu Appa Rao, S/o Venkata Ramanaiah,
SJNK Sangham, Main Road, Kotabommali, Srikakulam District

..... PETITIONER

AND

1 Deputy Registrar of Co-operative Societies, Srikakulam, Srikakulam District
2 The Director, Khadi & Village Industries Commission, Regional Office, Maharanipeta, Visakhapatnam
3 Srikakulam Jilla Nirmana Karyakrama Sangham, rep.by its Managing Committee, Near Deapak Mahal,
G.T.Road, Srikakulam
4 Badana Dandasi, Self Styled Secretary, Srikakulam Jilla Nirmana Karyakrama Sangham,
Near Deepak Mahal, G.T.Road, Srikakulam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction preferably in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing order No.AP/DO/VSP/KHADI/SJNK/2004-05/1078 Dt.23-06-2004 directing the petitioner to handover the cash book, ledgers, bank pass book etc. to the present Secretary of the Managing Committee of the 3rd respondent as arbitrary and illegal and set aside the same

Counsel for the Petitioner:MR.K.VENKATARAO

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for Respondent No.2 : Smt. E. Urmila

Counsel for Resondents No.3 and 4: Mr.S. Srinivasa REddy

The Court at the stage of admission made the following ORDER:

The petitioner challenges the order, dated 23.06.2004, issued by the second respondent. The order, in turn, was issued in pursuance of the directions issued by this Court in W.P.No.8632 of 2004. The petitioner filed the said writ petition alleging that though he was elected for a term of two years from 31.07.2003, he is sought to be dis-continued and interfered with by the respondent therein. This Court directed the second respondent herein to get the matter enquired and to pass an appropriate order. It was in this context that a team has been sent by the second respondent to enquire into the matters. On the basis of the report submitted by the team, the impugned order was passed.

Heard the learned counsel for the petitioner, the learned standing counsel for the second respondent and the learned Government Pleader for Cooperation.

The petitioner states that he has been elected for a term of two years and the same is still in force. Even assuming that the election said to have been held on 01.04.2004 is improper, the only course open to the petitioner is to file a O.P. before the District Court concerned under the relevant provisions of the Societies Registration Act. The petitioner cannot canvass his grievance in this writ petition.

Therefore, the writ petition is dismissed, leaving it open to the petitioner to work out his remedies in accordance with law. There shall be no order as to costs.

15.02.2005

ksld

To

1 Deputy Registrar of Co-operative Societies, Srikakulam, Srikakulam

District
2 The Director, Khadi & Village Industries Commission, Regional

Office, Maharanipet, Visakhapatnam.

3 Two CCs. to the G.P. for Cooperation, High Court of A.P., Hyderabad

(OUT)

4 Two CD copies.